



# City of San Antonio New Vested Rights Permit APPLICATION

Pe	ermit File: # Assigne		9/6 taff	]	Date: 9 -	<u>]-0/</u>
1.	All applicable inform completed on behalf of					essing. <i>If application is</i> agent.
2.	Development Plan (Fo	ormaly PO	ADP), P.U.D. plan	, plat applicati	on, approved plat, b	i.e. this application, Master uilding permit ). udary (Attached).
1	Owner/ Agent	Koo	ontz-McCombs,	IIC		
2.	Address:		Concord Plaza			
3.	Zip:	782		i, Buite 323	Telephon	e # (210) \$26-2600
4	Site location or ac		JTSA Boulevar	ed at III 10	reichnou	C# (210) 920-2400
5.	Council District	8	ETJ		dward's Agrifar	Dook SECTOR (A)
J.	Council District	<u>o</u>	E19	Over E	-	Recharge () yes (V) no
					"Site over	r Contributing Zone

MASTER DEVELOPMENT PLAN (MDP) (Formaly POADP)\*

(Note: Plat must be approved within 18 months of application submittal date).

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: Lone Star Business Park # 591

Date accepted: October 31, 1997 Expiration Date: May 2, 1999 MDP Size: 47.31 acres

• P.U.D. PLAN

Name: #

Date accepted: #

Expiration Date: \_\_\_\_\_\_\_ | Acreage: \_\_\_\_\_\_\_\_ |

Date submitted: \_\_\_\_\_\_\_ | Expiration Date: \_\_\_\_\_\_\_ |

August 17, 2001

01-08-016

gile.

Approved Plat		•	U
Plat Name: Lone Star Business	Park, Unit #2 Plat # 98	80177 Acreage: 3.684	Approval
Date: Feb 10th 1000 Plot			
Date: Feb. 10th, 1999 Plat record	Ing Date: <u>March 23, 2000</u>	Expiration Date: N/A	Vol./Pg <u>9546</u>
(Note: If plat is not recorded withi	n 3 vegre of plat annual		
, , , , , , , , , , , , , , , , , , ,	" 5 yeurs oj piui approvai po	ermit rights will expire).	
• Others			
Type of Permit:	Date issued:	Eminute D	
	Date Issued.	Expiration Date:	
Acreage:			
(Note: Two maps of the area must t	he provided)		
1 0 1 10 10 10 10 10 10 10 10 10 10 10 1	se provided)		
NOTE: Filing a knowingly false at	and annual of the state of the		10000000000000000000000000000000000000
NOTE: Filing a knowingly false staunder §37.02 and §37.10 of the Testin jail and fine of up to \$10.000	ttement on this document, o	or any attached document,	is a crime
in jail and fine of up to \$10,000.	eus I enui Coue, punisnable	as a state jail felony by up	to two years
I hereby certify that all income	**		State in O
I hereby certify that all information that it is my belief the property owner.	his Application and the attac	ched documents are true an	d correct and
that it is my belief the property owner.	Koont:	s on the listed location. 2/Ms Combs, LCC, genera	partner of owner
11 Drymer	Signature:	Dat	te: 8-28-01
Sworn to and subscribed before me be witness by hand and seal of office.	over		<del></del>
witness by hand and seal of office.	mythe D. St.	20 <u>01</u> , to certi	fy which
Notary Public, State of Texas, My Co		CYNTHIA H	STEVENS
	minission expires. 6-0 0	NOTARY STATE O	PUBLIC P
		My Gemin. Ex	7: 86-08-2004
		A CANADA COMPANY CONTRACTOR OF THE PROPERTY OF	A CONTRACTOR
	City of San Antonio use		
\ ,			•
Approved		Disapproved	
	-	Disapproved	•
Review By:	Da	te: 9-26-01	
Assistant City Atto	rney	- 1	
			•

August 17, 2001

## TRANSMITTAL



4ttn:	Mik	те Неггега		-	
	144	W. Commerce, 4 <sup>th</sup> Floor	***************************************		
	SA	N ANTONIO, TX 78205			
Re:	Lon	e Star Business Park			
QUAN	TITY		CRIPTION		
2		Vested Rights Permit Application			
2		Copies of Plat #980177 Lone Star Busines	ss Park Unit 2 (Vol.	9546, P	g. 204)
2		Copies of POADP #591			* *
2,		Copies of Revised POADP #591			, cr
1		(Original and Copy) Check # 034586 for	r \$145.00		
2		Copies of Trust Agreement w/ City of San	Antonio		S Fig.
2		Copies of TIA			D V
					·
		If enclosures are not as noted, ki	ndly notify us at onc	e.	- (V)
	Appro	_	equested 🛚 Fo	or Revi	
MEN		val 🗌 For Your Use 🗌 As Ro	equested 🛚 Fo	or Revi	
For A		val 🗌 For Your Use 🗌 As Ro	please give us a cal	or Revi	
MMEN		If you need additional information,	please give us a cal	or Revi	x you for your

PAPE-DAWSON ENGINEERS, INC.

555 East Ramsey | San Antonio, Texas 78216 | Phone: 210.375.9000 | Fax: 210.375.9030 | info@pape-dawson.com



August 28, 2001

Mr. Michael O. Herrera, Planner II Department of Planning City of San Antonio 114 W. Commerce, 3<sup>rd</sup> Floor San Antonio, TX 78205

Re:

Amendment to POADP #591 - Lone Star Business Park

Southeast Corner of IH10 and UTSA Blvd.

Dear Mr. Herrera:

Thank you for meeting with us on Monday, August 27, 2001 to review the proposed amendment to the referenced POADP. As discussed, we are requesting approval of this amendment on behalf of our client Koontz-McCombs, LLC. The revision consists primarily of a revised alignment for the Local Type B street that will be constructed to access the future development of the property. The revised street alignment will intersect UTSA Boulevard at existing median cuts that have been field surveyed. Todd Sang has provided his endorsement of the street realignment and I understand that he has forwarded a written confirmation to your office. Todd has also reviewed the 1997 TIA that was done for the property and determined that it is still valid for the property's intended use. The original POADP and the proposed amendment are attached for your review. Please consider this formal application for approval of the amendment.

Also, attached is a Vested Rights Permit Application for the property. The supporting documentation includes the original POADP No. 591 - Lone Star Business Park, Plat No. 980177 - UTSA Blvd., and a Trust Agreement between Koontz-McCombs, LLC and the City of San Antonio for construction of UTSA Blvd. as it currently exists. Please accept these documents as formal application for assignment of vested rights for the property.

Our client would like to proceed with design documents for the roadway as soon as possible and is anxious to begin construction. Your prompt assistance in the above in matters would be greatly appreciated.

Please call our office if you have questions.

Sincerely

Engineers, Inc.

Engineering Manager

Attachment

P-\51\80\02\WORD\LETTERS/010828A1

PAPE-DAWSON ENGINEERS. INC.

San Antonio, Texas 78216 | Phone: 210.375.9000 |

Fax: 210.375.9010

(Note: If plat is not	t recorded within 3 v	ears of plat approval per	mit rial	hts will ovniva)	
(Note: 1) plui is not	recorded within 5 ye	eurs oj piui approvai per	mu rigi	nis wiii expirej.	
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• Others Type of Permit:		Date issued:	Exi	piration Date:	
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Acreage:	<del></del>			e e e e e e e e e e e e e e e e e e e	
(Note: Two maps o	f the area must be pr	ovided)			
	- -				<b>~</b>
NOTE: Filing a kn	owingly false statem	ent on this document, or	r anv at	tached docume	= nt. Is a crime
		Penal Code, punishable			
in jail and fine of u	ıp to \$10,000.			SAN	
I hereby certify that	t all information this	Application and the attac	hed doc	SOS Suments are frue	and correct and
that it is my belief t	he property owner is	entitled to Vested Rights	on the	listed location.	to a state of or
Daint many Co. 44		KOONTZ	WZ	omis, ecc, gene	Date: 8-28-01
Chie	T. Brymer office	Signature:		<u>.                                    </u>	Date: 8 - 2001
Sworn to and subsc	ribed before me by or	n this 28th day of au	gust	20 <i>01</i> , to c	ertify which
witness by hand and	d seal of office.	the S. St.	<i>?</i>		
Notary Public, State	e of Texas. My Comm	nission expires: 6-8-0	7 8	CYNTHI	A H. STEVENS
,			- 31	STAT	EOFTEXAS
			<b></b>	My Comin	i. Etp. 96-98-2004
	(	City of San Antonio use			
			•		
	<b>Approved</b>		Di	sapprove	1
				* *	
Review By:			ate:		
	Assistant City Attorne	e <b>y</b>			•
		•			•

August 17, 2001

PAPE-DAWSON ENGINEERS, INC.

555 East Ramsey San Antonio, Texas 78216



FROST NATIONAL BANK SAN ANTONIO, TEXAS

034586

AUGUST 28, 2001

PAY

\*\*\*\*\*\*\*\*145\*\*\*\*\*

DOLLARS AND

\*00\* CENTS

\$ \*\*\$145.00\*

PAPE-DAWSON CONSULTING ENGINEERS, INC.

TO THE ORDER OF

CITY OF SAN ANTONIO

WaneScrift

#O34586# #114923222#

29 39979951

# 21 - 8 - 16 # 21 - 8 - 16 L:\mak\14000015\Trust Agmt-4.doc

#### TRUST AGREEMENT

RECEIVED

This agreement is between Koontz/McCombs 1, Ltd., subdivider, Chicago Title Insurance Company (Carol Reiss), trustee, and the City of San Antonio I. OF PLANNING SERVICES OF S

Subdivider has deposited (or herewith deposits) subject to the order of subdivider and trustee jointly as provided in this agreement in the (name and location of bank, trust company or qualified escrow agent) account of Chicago Title Insurance Company, 14607 San Pedro, Suite 175, in San Antonio, Texas 78232, the sum of Seven Hundred Thousand Six Hundred Twenty-two and 27/100 Dollars (\$700,622.27) for the purpose of constructing site improvements in Lone Star Business Park Unit 2 Subdivision in Bexar County, Texas, for the benefit of the public represented by the City of San Antonio, more particularly described as follows:

#### TYPE OF SITE IMPROVEMENT

(Gas and Electric Lines Not Included)

Streets		\$4	97,113.27
Sidewalks		\$	N/A
Alleys		\$	N/A
Storm Drainage		\$1	18,129.00
Sanitary Sewers		\$	N/A
Water		\$\$	35,380.00
Other (Specify)	Total:	\$ <u>70</u>	00,622.27

Trustee agrees to authorize expenditures from such trust account, execute checks, drafts and other orders of withdrawal only for the purpose of paying for the cost of constructing such site improvements and such orders shall show thereon the purpose of the withdrawals. The expenditure(s) for each type of site improvement shall be made only in amounts not to exceed the estimated cost thereof shown above. Trustees shall provide the Director of Public Works with a statement of such expenditures in said subdivision (by type of site improvement) within five (5) days of their authorization.

Subdivider shall within five (5) days after any single withdrawal of one thousand dollars (\$1,000.00) or more has been made, furnish an affidavit showing that the sums of money so withdrawn were expended by subdivider on prescribed site improvements, indicating the percentage of site improvements completion and estimating the date of site improvements completion. Said affidavit shall be submitted substantially in the following form:

### **AFFIDAVIT**

STATE OF TEXAS §		
COUNTY OF BEXAR §		÷
BEFORE ME, the undersiday personally appeared Koontz/McCombs, LLC, general duly sworn upon his oath deposes	gned authority in and for the state partner of Koontz/McCombs and says:	ate and county aforesaid, on this  of  1, Ltd. who, being by me first
I, LLC, general partner of Koontz/I Unit 2 Subdivision, Bexar County withdrew the sum(s) of \$ expended said funds so withdraw Park Unit 2 Subdivision as follows	y, Texas, under date(s) of, from the trust acc, trustee, and created for n on prescribed site improvements	, 2000,
•	SUBDIVISIONS	
SITE IMPROVEMENT	AMOUNT	PERCENTAGE OF COMPLETION
	\$	
	\$	
	\$	
With the expenditure of the will be completed by	ese funds, it is estimated that the	prescribed site improvements
		Public In And For The f Texas

Until this affidavit is accomplished, no further withdrawals shall be made from said trust account. The trustee shall be authorized to release further funds to the subdivider only after receipt of written notification therefor from the Director of Public Works so to do.

Subdivider agrees to construct all site improvements within three (3) years from the date of plat approval.

Upon the failure of the subdivider to provide such site improvements as herein provided, any remaining balance in such trust account shall be payable on the order of the trustee without the necessity of joinder by the subdivider.

A certificate that the sum required herein is on deposit in the above named bank, trust company or qualified escrow agent, subject to withdrawal only as provided herein, signed by an authorized official thereof, is attached hereto.

A copy of this agreement has been supplied to the bank, trust company, or qualified escrow agent, named by the undersigned trustee.

IN TESTIMONY WHEREOF WITNESS OUR HAND AND SEAL this 22 day of March\_\_\_\_, A.D., 2000.

Koontz/McCombs 1, Ltd., a Texas limited partnership

By:

Koontz/McCombs, LLC,

its General Partner

By:

oontz, President

Address:

200 Concord Plaza, Suite 525

San Antonio, Texas 78216

ATTEST:

-1-

Bv:

YNTHIA H. STEVENS

SCOTT BRYMER
Title: SENIOR VICE PR

SENIOR VICE PRESIDENT AND SECRETARY Title:

ASSISTANT VICE PRESIDENT

Chicago Title Insurance Company

Ву:\_\_\_\_\_

Name:

Its:

FERMIN OFFICER

Address:

14607 San Pedro, Suite 175

San Antonio, Texas 78232

ATTEST: By: Sylua Roman	By: advince July
Title: Cocrau asistant	Title: ESCLOW ASSISTANT
	City of San Antonio
ATTEST:	
By:	_ By: Loy R. Ballany
Title:	Title: Subdivision Coordinator
Approved as to form:	
Title:	

(Attach Letter of Escrow)

#### LETTER OF ESCROW

Receipt of the Trust Funds in the sum of \$700,622.27, received from Koontz/McCombs 1, Ltd., as Subdivider under the attached Trust Agreement is hereby acknowledged this \_\_\_\_\_\_\_\_ day of March, 2000; and Chicago Title Insurance Company, as Trustee under the Trust Agreement agrees to disburse the Trust Funds in accordance with the terms of the Trust Agreement.

CHICAGO TITLE INSURANCE COMPANY

Carol Reiss

**Escrow Officer** 

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	g r et	McCOMBS ENTERPH	03/22/00	PAY Seven hund  TO THE  ORDER Chicag  OF
		H McCOMBS ENTERPHISES • SAN ANTONIO, TEXAS 78217	#630810###################################	Seven hundred thousand six hundred twenty two and 27/100%***  Chicago Title Insurance Company  Book TESORO DRIVE - SUITE 122  SAN ANTONIO, TEXAS 78217  DATE 03,  DATE 04,  DATE
			1644 ¢700,622.27**	CHECK NUMBER 018063  DATE 03/22/00 AMOUN\$700,622.27**  TWO AND 27/100****  MCCOMBS ENTERPRISES  ANTHORIZED SIGNATURE
	•			

February 11, 2000

VIA U. S. MAIL
Mr. Fernando De León, E.I.T.
Sr. Engineering Associate
City of San Antonio
Public Works/Engineering and Traffic
P. O. Box 839966
San Antonio, TX 78283-3966
Phone: 207-7501

e: 20/-/30I

RE:

Lone Star Business Park Subdivision, Unit 2, Plat No. 980177; Street Light Contract by and between the City of San Antonio and Koontz/McCombs 1, Ltd.

#### Dear Fernando:

Pursuant to our telephone conversation, enclosed is the street light contract submitted in connection with the subdivision plat referenced above. Please process this contract, so that once the costs in the sum of \$34,456.00 are paid, our construction of UTSA Blvd. may be coordinated with CPS's installation of the street lights.

Thank you for your consideration of this matter. If you have any questions or comments, please call me at 826-2600.

Best regards,

Koontz/McCombs Development LLC

Cynthia H. Stevens, CLA Assistant Vice President

Cc: Scott Brymer

Steve Eklund, Bury & Pittman, Inc. (via telecopier @ 525-0529)

P.09

#### COUNTY OF BEXAR

This Agreement, entered into by and between the City of San Antonio, a Texas Municipal Corporation, acting by and through its Director of Public Works or his designated representative, pursuant to Section 35-4116 of the San Antonio Subdivision Regulations, (hereinafter referred to as "City" and McCombs Family LLC or his (its) designated representative, as subdivider for Lone Star Business Park. Unit 2 subdivision, (hereinafter referred to as "Subdivision, (hereinafter referred to as "Subdivision, Chereinafter referred to as "Subdivision, Chereinafter referred to as "Subdivider"), Witnesseth:

WHEREAS, Section 35-4116 of the San Antonio Subdivision Regulations require the street lights be provided in the subdivisions within the City of San Antonio; and

WHEREAS, while the City and the City Public Service have the expertise to both locate and install such street lights, the cost for same should not be borne by the City; NOW THEREFORE:

For and in consideration of the terms and conditions contained herein, the parties hereto agree as follows:

(1) In order for Lone Star Business Park Unit 2 subdivision to receive adequate street lighting, street lights shall be installed by City Public Service. All costs associated with the engineering and installation of the street lights total \$34.456.00.

Such costs are in conformance with the latest schedule of costs to the City of labor and materials associated with the engineering and installation of street lights filed by the Director of Public Works with the City Clerk.

- (2) Subdivider shall pay the amount of \$34.456.00 to the City to cover the above referenced costs. Such payment shall be in the form of a cashier's check, or suitable financial mechanism agreed upon by the City.
- (3) The plat of <u>Lone Star Business Park</u>. <u>Unit 2</u> subdivision, shall not be officially recorded, unless and until the sum of <u>\$34.456.00</u> is paid over to the City in the manner above-specified, to cover the cost of providing adequate streetlighting to for <u>Lone Star Business Park</u>. <u>Unit 2</u> subdivision.

CITT OF SAN ANTONIO:	ATTEST:
A. A	
BY: BOLD VICE	BY: DE-
TITLE: Chief Engineer. Development Review and Drainage	TITLE: Sr. Engineering Associate
SUBDIVIDER: Koontz/McCombs 1 Ltd.  By 7 Kaputz/McCombs, LLC, its general	ATTEST:
BY: \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	BY:
TITLE as Owner's designated representing	TITLE: SENIOR VICE PRESIDENT

Information Required by Staff:

No. of Lights: 9. 250-watt double arms
Type of Light: bigh pressure sodium
Type of Rate: underground in rock
Plat Number: 980177

PAGE 02

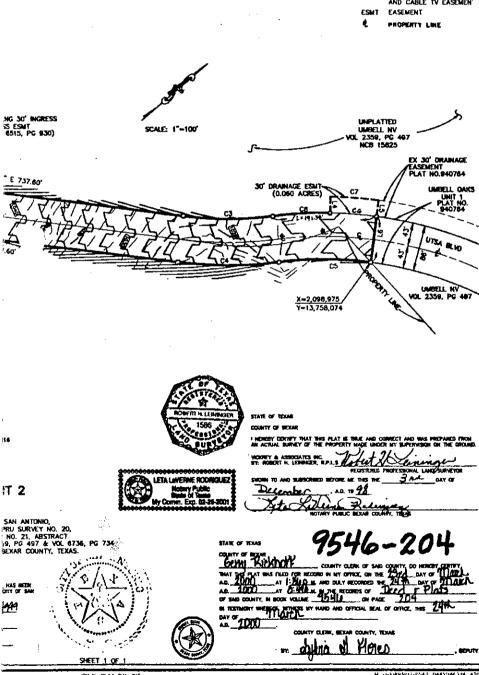
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LEGEND

SET IRON PIN SET EXISTING CONTOURS
PROPOSED CONTOURS
GAS, ELECTRIC, TELEPHOI
AND CABLE TV EASEMEN G.E.T.CA



RECEIVED 01 AUG 29 PM 4: 18 DEPT. OF PLANNING LAND DEVELOPMENT SERVICES DIVISION